IN THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF PENNSYLVANIA

John T. Moore,

Case No.: 06-68266

Plaintiff,

:

vs.

American Standard, Inc., d/b/a Westinghouse

Defendant.

Air Brake Co., et al.,

MOTION FOR DISMISSAL

Plaintiff by and through counsel, moves this Court to enter an Order dismissing his Petition for Damages, without prejudice, against Defendants Owens-Illinois, Inc. and Vapor, a Brunswick Company, with each party to bear their own costs.

Respectfully Submitted

By: /s/Kip A. Harbison

Kip A. Harbison, Esq.

GLASSER & GLASSER, P.L.C. Crown Center, Suite 600

580 East Main Street Norfolk, Virginia 23510

SO ORDERED

Eduardo C. Robreno,

United States District Judge

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